

Remarks:

1. Applicant has amended independent claim 1 to more accurately reflect the invention disclosed herein. Specifically, Applicant notes that the present invention can be distinguished from the prior art cited by the Examiner because the containment structure of the present invention defines an inner void which is actually filled with flowable foam; unlike the prior art cited by the Examiner, the flowable foam of the present invention remains isolated from, and does not come in contact with, the explosive device until detonation. (See Specification, Page 19, Line 16 through Page 20, Line 6).

By contrast, both US Patent No. 4,589,341 to Clark, et al. and US Patent No. 5,864, 767 to Drumgoole, et al. fully contemplate and disclose contact between the explosive device and such foam material. See, for example, Clark, Column 7, Line 65 through Column 8, Line 10 (chutes having openings that divert foam to the explosive device) and Drumgoole, Column 5, Lines 39 through 43 (an air-inflated structure defining a chamber which can be filled with foam). This is significant, because it is generally advantageous to prevent such foam from coming in direct contact with the explosive device for reasons cited in the specification.

Applicant has made certain other modifications to Claim 1 to improve consistency of terminology in the claim and more particularly point out the claimed invention. Notably, Applicant has amended Claim 1 to remove references to said “container” and replace same with the term “containment structure” to cure the lack of antecedent basis for the term “container.”

2. Applicant has cancelled claims 2 through 5. It is respectfully submitted that this action has resolved the basis for the Examiner’s rejection as to these claims.

3. Applicant has added additional claims 6 through 8. It is respectfully asserted that these claims are allowable over the prior art.
4. Regarding the use of 3-mil visquine, Applicant respectfully asserts that it would not have been obvious to one having ordinary skill in the art to utilize such material for construction of the containment structure of the present invention. Said material is not known for its strength characteristics, unlike the high strength ballistic barrier materials described in the Drumgoole patent. As such, Drumgoole actually teaches away from using low-strength materials such as 3-mil visquine. However, as set forth in the specification of the present application, such low-strength materials are beneficial for the reasons set forth on Pages 19 through 20 of the specification.

The Examiner is respectfully invited to contact Applicant's representative, Ted M. Anthony, by telephone at (337) 262-9000 or facsimile at (337) 262-9001, if the Examiner has any questions concerning the subject application or this response.

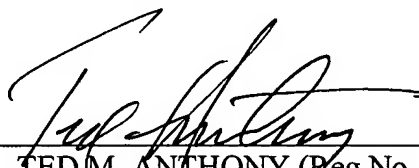
Respectfully submitted:

PERRET DOISE, APLC

Date:

March 4, 2005

By:



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CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I HEREBY CERTIFY that this Response to First Office Action is this day being deposited with the United States Postal Service, as first class mail, with proper postage affixed, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450 Alexandria, VA 22313-1450 on March 4, 2005 (date of deposit).

TED M. ANTHONY

Name of Registered Representative


Signature of Registered Representative

March 4, 2005
Date of Signature